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August 30, 2022

VIA ECF

The Honorable Judge Arelene R. Lindsay
United States Magistrate Judge
Eastern District of New York
814 Federal Plaza
Central Islip, New York 11722

RE: *Gutierrez et al. v. Davinici's Restaurant et al.*
Civ. No.: 20-05380

Dear Judge Lindsay:

I represent Plaintiffs in this wage/overtime case. The Parties held a mediation session yesterday under Your Honor's July 8, 2022 Order. Unfortunately, after mediating this matter for over four hours, the Parties were unable to resolve their dispute.

Accordingly, pursuant to Your Honor's June 27, 2022 Order (ECF No. 28), the Court held: "A revised schedule extending discovery for 60 day will issue upon receipt of the substitution of counsel and the matter will be referred to mediation." A motion to substitute counsel was filed on July 7, 2022 and granted the next day. Accordingly, under the June 27th Order, discovery was to be extended until September 7, 2022.

Plaintiffs has written to Defendants counsel regarding outstanding discovery, including interrogatory responses from Defendant Javed Ali. Defendants' counsel has stated the Javed Alis' interrogatory response will be served by Friday September 2, 2022.

Accordingly, the Parties request the discovery end date be extended, from September 7, 2022 to October 7, 2022. The Parties thank the Court for considering this request.

Very truly yours,

/s/

Marcus Monteiro